

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - SEPTEMBER 19, 2012**

PRESENT: Marshall, Barboza, Teixeira, Herreshoff, and Parella

ALSO PRESENT: Diane C. Mederos, Town Administrator  
Michael A. Ursillo, Esq. Town Solicitor  
Marshall J. Netto, Town Sergeant

ABSENT:

The Council met in regular session on Wednesday evening, September 19, 2012 in the Town Hall, Council Chambers, beginning at 7:10 o'clock PM, Council Chairman Marshall presiding:

Prior to the commencement of this evening's regular agenda, Council Chairman Marshall thanked those present for the support he received during the recent Statewide Democrat Primary where he was nominated for State Representative District 68.

Council Chairman Marshall also advised that the "announcements," prior to the regular agenda, provide the opportunity "to get to know each other better."

Council Chairman Marshall stated that the Town is fortunate to have a "great support system" noting that Council members are able to contact the administration and department heads at all hours and that this support is necessary since most Council members have regular jobs and other obligations.

Council Chairman Marshall noted that the Council has many serious issues to consider including life saving and mosquito viruses. He added that the Council attempts to provide security for the citizens of the Town.

Council Chairman Marshall added that none of the Council members are "experts" but rather may know a small amount about many topics and that the members rely upon the expertise of the legal, planning, finance, etc., professionals.

Council Chairman Marshall noted that many of the broader issues cannot be effectively resolved during the limited time available at regular Town Council meetings and that sometimes these must be referred to special meetings when a workshop will be called.

Council Chairman Marshall reported that the workshop to consider the East Bay Energy Consortium (EBEC) and the "Energy and Environment Commission" has been confirmed for

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October 3, 2012, the workshop to discuss the upcoming property revaluation (to consider the recommendations of the Citizens Property Revaluation Committee) and pending interviews has been scheduled for October 2, 2012, and the workshop to consider the Poppasquash Road water/fire hydrant problem has been scheduled for October 17, 2012.

Herreshoff/Barboza - Voted  
unanimously to add an agenda item  
to consider the matter of Hope  
Street striping.

Prior to the vote taken, Council Chairman Marshall also reported that the traffic/parking striping along Hope Street may not yet be complete and that the striping was the result of a "housekeeping" ordinance and that this may require further revision.

Barboza/Teixeira - Voted  
unanimously to suspend the order of  
business to consider agenda item B8  
after consideration of the Consent  
Agenda and prior to the  
commencement of the regular order  
of business.

Prior to the vote taken, Council Chairman Marshall noted that there were many members of the audience who were interested in agenda item B8 (Poppasquash Road fire hydrants) and suggested that it may be considered early.

Council Chairman Marshall also noted the receipt of a letter from Gerald Felise of Natural Energy Generation. Council Chairman Marshall noted that his comments at the August 8, 2012 meeting were based upon an article appearing in the *Fall River Herald* and that he apologized if he made any disparaging remarks.

He added that Mr. Felise asked that he "immediately both retract those remarks and cease and desist" and that he has done this via these comments and again, apologized to Mr. Felise.

Council Chairman Marshall also observed that mosquitoes infected with Eastern Equine Encephalitis (EEE) were discovered on Schoolhouse Road in Warren and that the State Department of Health is suggesting that sports leagues, etc., suspend outdoor activity after 6:00 o'clock PM in order to avoid possible contract of the disease.

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Councilman Herreshoff noted the greatest threat comes near sunset and that the hour of curtailment of these outdoor activities should be adjusted accordingly.

Recreation Director Burke informed the Council those involved are aware that sunset is the critical period.

Councilman Barboza noted that the Bristol Warren Regional Joint Finance Committee Sub-committee has a report to share with the entire Joint Finance Committee. He announced that he will be calling a special meeting of the Joint Finance Committee to consider the report.

Councilman Herreshoff announced the schedule for candidate debates as provided by Marina Peterson.

Councilman Herreshoff noted that the Town Council candidate forum will be October 4, 2012 in the Bristol Statehouse Court Room beginning at 6:30 o'clock PM and the questions will be open and come from the audience.

Councilman Herreshoff also noted that the candidate forum for Town Administrator and General Assembly candidates will be held on October 25, 2012 in the Rogers Free Library Community Room also beginning at 6:30 o'clock PM.

Councilman Barboza offered his congratulations to Council Chairman Marshall upon his recent Primary victory.

Councilman Barboza also noted the passing of John Spagnolo who was Tax Assessor Spagnolo's father in law. Councilman Barboza extended the Town's condolences to the Spagnolo family.

Councilman Teixeira reported that the Senior Awareness Day will be held on Friday, September 22, 2012 at the Benjamin Church Senior Center from 10 o'clock AM until 2 o'clock PM.

Councilman Teixeira also reported that the Bristol Police will be collecting prescription drugs for safe disposal on Saturday, September 29, 2012 at the Police Station from 10 o'clock AM until 2 o'clock PM.

Councilman Barboza noted that the Town will be sponsoring an "amnesty day" at the Transfer Station to allow residents to deposit up to two-hundred pounds of rubbish for no fee. Councilman Barboza further noted that this matter is outlined in item R15 of the Consent Agenda.

**MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA**

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Barboza/Teixeira - Voted  
unanimously to approve the Consent  
Agenda withholding agenda items R17  
and R18 and to combine these with  
regular agenda item C2 (Wendy's)  
and to also withhold Consent Agenda  
item R21.

Prior to the vote taken, Councilman Barboza suggested that  
Consent Agenda items R17 and R18 might be withheld to be  
combined with agenda item C1 and Council Chairman Marshall  
suggested that Consent Agenda item R21 might also be  
withheld for further consideration.

Councilman Herreshoff suggested that any items concerning  
the Animal Shelter project should be included under "old  
business" in the future.

*It is hereby noted for the record that the Council  
considered the matter of agenda item B8 at this time. The  
discussion and action concerning this item appears, in  
place, below.*

**A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)**

1. Town Council Meeting - August 29, 2012  
(action items only)

Barboza/Teixeira - Voted  
unanimously to approve these  
minutes as prepared and presented.

2. Town Council Meeting - July 18, 2012 (final  
version)

Barboza/Teixeira - Voted  
unanimously to approve these  
minutes as prepared and presented.

**(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions**

**Approval of consent agenda="Motion to receive and place  
these items on file."**

1. Bristol Warren Regional School Committee -  
July 16, 2012
2. Board of Fire Engineers - September 3, 2012

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3. Fourth of July Committee - August 7, 2012
4. Harbor Commission - August 6, 2012
5. Historic District Commission - August 2, 2012
6. Animal Shelter Capital Project Committee - July 31, 2012
7. Citizens Property Revaluation Advisory Committee - July 10, 2012
8. Citizens Property Revaluation Advisory Committee - July 27, 2012
9. Citizens Property Revaluation Advisory Committee - July 31, 2012
10. Citizens Property Revaluation Advisory Committee - August 21, 2012

**B. OLD BUSINESS**

1. Jennifer Evans, d/b/a Angelina's, 301 Hope Street - review of Sidewalk Use License (issued July 12, 2012)

**LATE ITEM**

- a. Recommendation - Code Compliance Coordinator (with conditions)

**LATE ITEM**

- b. Recommendation - Chief of Police (with conditions)

Barboza/Teixeira - Voted unanimously to grant this license for a full-term based upon the recommendation received from the Town Administrator.

Prior to the vote taken, Town Administrator Mederos reported that her office spoke with the licensee and that the removal of the planter boxes, per the conditions provided for the initial granting of this license requires the approval of the property owner which is forthcoming.

Town Administrator Mederos stated that she was assured that the planter boxes will be removed and recommended that the Council approve the license.

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2. Councilman Barboza re Hope Street business signage, **continued from August 29, 2012**

Barboza/Teixeira - Voted  
unanimously to continue this matter  
until the meeting of October 10,  
2012.

Prior to the vote taken, Councilman Barboza noted that he is continuing to work on this idea and that the proposed signage will need the approval of the Historic District Commission.

*It is hereby noted for the record that the Council considered agenda item J5 at this time. The discussion and action concerning agenda item J5 appears, in place, below.*

Herreshoff/Teixeira - Voted  
unanimously to suspend the regular  
order of business and to consider  
agenda item J5 at this time.

*It is hereby noted for the record that the Council considered agenda item B11 at this time. The discussion and action concerning agenda item B11 appears, in place, below.*

3. Councilman Herreshoff re Tanyard Brook and Harker Avenue drainage projects and Raymond DeLeo, 328 High Street re drainage resolutions, **continued from August 29, 2012**

- a. Councilman Herreshoff re Harker Avenue drainage project

Herreshoff/Teixeira - Voted  
unanimously to continue this matter  
until October 10, 2012 in  
anticipation of a final report on  
the project.

Prior to the vote taken, Councilman Herreshoff stated that he was pleased to report that the work is underway and asked Public Works Director Galuska to make a verbal report.

Public Works Director Galuska reported that he has spent one hour per day at the site and that the Beta people have been there also. He added that the project consists of two components; an eight-inch drain and the grading of the back yard.

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Public Works Director Galuska reported that the drain is installed and will possibly complete this on Monday of next week.

Councilman Herreshoff stated that it was "a fine pipe" and that it was critical to assure that the grading is completed correctly. He urged that Beta should sign-off on this aspect prior to the Town's consideration of the project as complete.

Public Works Director Galuska agreed that a field report is necessary in order to "close the books." He added that a "layer of redundancy" was built into the project in that there are three drain inlets versus one.

Councilman Herreshoff stated that the report is encouraging and that Town Administrator Mederos and Town Solicitor Ursillo did good negotiating.

Councilman Teixeira expressed concern that this work might somehow make problems for the neighbors.

Councilwoman Parella also expressed concern that the George Mello property would be negatively impacted. She explained that the Mello property may have to be graded and that the Mellos should be involved in the conversation.

Public Works Director Galuska agreed with Councilwoman Parella and informed the Council that he met with Raymond DeLeo who also is an abutting landowner. He added that he was assured that the Andreozzi runoff will filter toward the Blanchard property and that he did examine the Mello property after the last rain.

Public Works Director Galuska explained that he spoke to Councilman Herreshoff about placing a small berm to help the Mello property.

Councilman Herreshoff stated that he believes the berm, as suggested by Public Works Director Galuska, to be a good idea. Councilman Teixeira also agreed that the berm would be a good idea.

4. Jonah Camara, 26 Sampson Street - request for curb cut, **continued from August 29, 2012**

- a. Record of earlier petition

**LATE ITEM**

- b. Recommendation - Director of Public Works (deny)

Barboza/Teixeira - Voted  
unanimously to deny the petition  
per the recommendation received.

Prior to the vote taken, Public Works Director Galuska stated that he recommends denial of the petition due to the "history" of the similar request and also that the issues and topography has not changed since the matter was considered years ago.

Public Works Director Galuska added that the installation of a driveway in the proposed area would be difficult and that he recommends that no approval should be given absent the Council's consideration of a bona-fide civil engineer's concept.

Councilman Barboza noted that the Council spent many hours during 2005 and 2006 concerning this matter and agreed that nothing has changed to make the Council consider the matter differently in 2012.

Councilman Teixeira commented that he visited the area twice and found no suitable place to turn around. He added that a driveway may only make this situation worse. He agreed that this appears to be "an old issue with a new face."

Belinda Dias, an abutter, thanked the Council for not considering the driveway and that she agrees with the disposition from 2005.

Councilman Barboza stated that he agrees with Galuska that the Council should not approve the request.

Councilman Herreshoff stated that he agrees with Councilman Barboza and also that the petitioner appears to have other options.

Councilman Teixeira stated that the petitioner should use access from Woodbine Street.

5. Paula Butlin, 7 Old Ferry Road re trespassing, etc., **continued from August 29, 2012**

- a. Marilyn Tolleson, 5 Old Ferry Road re parking on Ferry Road, etc.

Barboza/Teixeira - Voted  
unanimously to continue this matter



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until the meeting of October 10, 2012.

Prior to the vote taken, Council Chairman Marshall noted that the issue includes parking, the State DOT, fishermen, Roger Williams University, etc. He asked Police Chief Canario if he had any thoughts on the matter.

Police Chief Canario responded that he plans an administrative meeting to include the various parties for a "think tank."

Police Chief Canario also reported that the department has stepped up its patrols in the area and encourages neighbors to call the police when problems occur.

Councilman Barboza asked to know if overtime parking is being enforced with Police Chief Canario responding that it has been enforced.

Councilwoman Parella asked to know why students are allowed to park on Old Ferry Road at all with Police Chief Canario stating that the parking is not the only issue.

A discussion ensued regarding the area.

Ms. Tolleson informed the Council that she took photographs in the area this morning and expressed concern that vehicles are blocking the road and rendering the area unsafe for motorists and pedestrians. She added that parking was eliminated 10 years ago and then was reinstated 2-3 years ago. She added that the problems are worse now than before. She asked Council consideration to return the area to a no-parking zone.

Police Chief Canario thanked Ms. Tolleson for providing the photos and asked to have copies of same. He added that Ms. Tolleson should attend his administrative meeting at Roger Williams University.

Councilman Teixeira and Council Chairman Marshall asked to be included in this meeting.

Police Chief Canario stated that he was now uncertain of the date of the meeting.

6. Director of Parks and Recreation Burke re petition of Ethan Tucker (August 29, 2012) - public notification of beach water quality

Barboza/Teixeira - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Recreation Director Burke reported that the Town Beach waters are tested four times per week between Memorial Day and Labor Day and that this is a RI Health Department (DOH) requirement. He added that this is the same for all "certified recommended swimming areas."

Recreation Director Burke stated that he will provide a link from the Town website to the Department of Health and also the Narragansett Bay Commission concerning swim area safety and that the DOH will provide for him information regarding any areas of concern within the Town and he will, in turn, place bulletins on the Town's website.

Councilwoman Parella asked to know if the Town can test waters at Walley and Union Street beaches with Recreation Director Burke stating that the DOH does not recommend swimming outside of those "certified recommended swimming areas" and that the beaches at Walley and Union Streets are not included among these. He added that he sometimes tests certain popular areas of the Kickemuit River.

Councilman Barboza noted that he has frequented Walley and Union Street beaches for many years and that it is usually obvious if someone should not enter the water in these places. He suggested that those visiting the areas should continue to use "common sense."

7. Director of Parks and Recreation Burke re claim of Emily Fernandes (August 29, 2012) - windshield damage by baseball (Veterans Memorial Park)

Herreshoff/Teixeira - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Town Solicitor Ursillo stated that the memorandum serves as a policy to treat these claims similarly.

Councilwoman Parella stated that she was disappointed in this response and that she takes exception to Recreation Director Burke's bullet points and she believes that there is damage occurring and the injured parties choose not to make claims against the Town.

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Town Solicitor Ursillo clarified his earlier statement in that all such claims are reviewed on a case-by-case basis and that this particular claim was paid.

Councilwoman Parella stated that she does not believe that all of the points made by Mr. Burke were accurate and that she believes the subject section of Perry Street to be dangerous and that signage should be placed in the area warning of the stray ball hazard.

8. Councilman Teixeira re Poppasquash Road area fire hydrants
  - a. Director of Community Development Williamson re draft proposed ordinance - Residential Sprinkler Systems
  - b. Deputy Clerk to Pamela M. Marchand, Executive Director, BCWA, e-mail re scheduling of workshop
  - LATE ITEM** c. Fire Chief Martin re Poppasquash Road water supply

*It is hereby noted for the record that discussion and action regarding this matter took place at the commencement of this evening's regular agenda as noted above.*

Barboza/Teixeira - Voted unanimously to receive and place this matter on file and to refer agenda item B8a to the workshop scheduled for October 17, 2012 and to agree that further discussion regarding this matter will not be included in the agenda for October 10, 2012.

Prior to the vote taken, Council Chairman Marshall reported that he, Councilman Barboza (Fire Department Liaison), Mr. Booth, and Ms. Marchand of the Bristol County Water Authority (BCWA), and engineers from Pare Engineering made a study of the situation.

He noted that no one was here to find fault but to rather find solutions and described development practices and noted that sometimes property changes hands but that information regarding the property does not always follow.

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Council Chairman Marshall noted that the water line in question has insufficient flow and if used for fire-fighting, may become seriously contaminated; impacting the entire water supply of the Town.

Council Chairman Marshall reported that he had the opportunity to speak to Ms. Marchand and to look at the hydraulic model and view potential solutions to the problem and that the situation is similar to that which occurred at the southern end of Town where Roger Williams University and the BCWA collaborated on a solution and upgraded the water system for the benefit of many property owners.

Council Chairman Marshall stated that the action of removing the fire hydrants may have been "a blessing in disguise" since it revealed some potential solutions to the problem which may have been otherwise unexplored including a "loop" with the Duffield Road line.

Council Chairman Marshall added that the matter will be better discussed in a focused workshop when the details can be more freely understood. He added that in the interim the Town is making available a "turbo draft pump" for fire suppression.

Fire Chief Martin reported that the day after the last meeting concerning this topic he evaluated a "turbo draft pump" in Little Compton and that Warren has one of these also. He noted that he will have one in-service in Bristol by the end of the week.

Fire Chief Martin also reported that he has a task force in place and its members are visiting residents in the affected area and finding suitable locations to deploy the new pump. He added that he is aware of the location of the cisterns, swimming pools, etc., and will further refine his plan for the dry-hydrant area.

Fire Chief Martin added that the residents have been cooperative and he thanked them for this accommodation.

Fire Chief Martin added that the Town of Little Compton shared a supply of extra hose.

Responding to questions posed by Councilman Barboza, Fire Chief Martin reported that the unit can fill a 3000 gallon tank in five minutes.

Councilman Herreshoff congratulated Fire Chief Martin for "grabbing hold" of this situation to find a good temporary

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solution to the problem. He asked to know if the department personnel are being trained on the new pump with Fire Chief Martin responding that they were being trained.

Council Chairman Marshall noted that the grass fire in April brought this issue to the forefront. He added that the State may be a willing partner in the more permanent solution since Colt State Park is in the affected area.

Town Administrator Mederos reported that discussions are ongoing with the State Department of Environmental Management.

Council Chairman Marshall introduced Pamela Marchand, of the BCWA, with Ms. Marchand informing the Council that the solution will be the result of a three phase approach. She also explained that the solution is more complex than that of Franklin Street which was, in comparison, "a simple fix."

Council Chairman Marshall asked to know if the Franklin Street repair was in process with Ms. Marchand responding that the BCWA must change contractors since the first contractor withdrew from the project.

Councilman Herreshoff asked to know who analyzes the result of the repairs for the long-term with Ms. Marchand responding that she, Mr. Booth, and Pare Engineering do this.

Councilman Herreshoff asked to know if the BCWA is considering a tank on Poppasquash neck with Ms. Marchand explaining that a tank may not be flushed adequately due to the minimal flow in the line and that this will lead to contamination problems.

Councilman Herreshoff asked about the tank at Roger Williams University with Ms. Marchand explaining that that tank is in service and is flushed frequently via the use of its water. She added that a tank for the Poppasquash line would have to be very small and likely this would not be practical.

Councilman Herreshoff asked to know if the ponds on Poppasquash could be used with Ms. Marchand responding that this matter would be out of her realm.

Councilman Herreshoff asked to know who will get the information from the ongoing engineering studies with Ms. Marchand responding that these may be available during the planned workshop.

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Harold Wanebo of 116 Poppasquash Road asked if it is possible to use sea water with Council Chairman Marshall noting that Fire Chief Martin reported on this already.

Council Chairman Marshall added that he spoke to (BCWA Chairman) Allan Klepper and that Mr. Klepper responded to him from North Carolina indicating that he was truly interested in the matter. Council Chairman Marshall thanked Mr. Klepper for the Authority's quick action.

Councilman Teixeira asked to know if the turbopump could be used elsewhere also with Council Chairman Marshall noting that he and Councilman Barboza raised this issue and that it can be used in low-pressure areas. He added that there is a plan to fix the low-pressure areas and that this may require a bond issue.

Council Chairman Marshall added that Mr. Tyska shared his engineering plans and borings and that this will be very helpful toward repairing the Poppasquash line.

Councilwoman Parella thanked the Fire Department and Water Authority for moving on this matter quickly and explained that the issue is of the highest priority.

Jil Westcott thanked the parties for reacting to this issue and asked to know if the line will be replaced with Council Chairman Marshall stating that this is part of the overall discussion on the matter. He added that a new line may not necessarily be better than the existing one due to the relative quality of the materials. He added a repair with improving the supply may be a more desirable solution.

Ms. Westcott asked to know if there were grants available with Council Chairman Marshall noting that this was in discussion at the "State level."

Ms. Westcott asked to know if more detail will be available at the proposed workshop with Council Chairman Marshall responding affirmatively.

Peter Hewett of 11 Wendy Drive asked to know if the Town paid for the hydrant rental since the 1980s and if it is due a refund for this payment.

Councilman Barboza explained that the Town does pay hydrant rental and that these hydrants were serviceable in the past.

Councilman Herreshoff stated that he thought via the previous discussion that the hydrants were never good with

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Fire Chief Martin explaining that the pressure was always relatively low and that the line degraded over time. He added that tests done after the April fire determined that the hydrants were not serviceable.

Councilman Herreshoff asked to know when the tests had been done with Fire Chief Martin responding that the testing was done by the BCWA and that he expects that agency will have all of the dates.

Councilman Herreshoff stated that he wished to know details of the previous tests.

Mr. Hewett asked to know if Ms. Marchand can provide details of the tests with Council Chairman Marshall stating that this detail can be discussed at the workshop.

Dr. Wanebo asked to know if he can have a document to prove fire protection to his insurance carrier with Fire Chief Martin responding that insurance companies are provided an ISO rating. He added that the Town's certification on the turbo-pump should minimize any increase in insurance premiums as a result of the hydrant removal.

Paul Sanromà of Poppasquash Road asked to know if the Town has yet considered agenda item B8a with Council Chairman Marshall responding "not yet."

Director of Community Development Williamson noted that she and Fire Chief Martin like the idea of the ordinance since it spells out that certain areas might be better served if new and significantly improved buildings were outfitted with sprinkler systems.

Councilman Herreshoff stated that he thought the ordinance proposal was burdensome with Councilwoman Parella agreeing with Councilman Herreshoff.

A discussion ensued regarding the ordinance proposal.

Director of Community Development Williamson stated that the same regulation is in place in the Town of Warren for the Touisset Point area verbatim.

A further discussion ensued regarding this proposal.

Councilwoman Parella stated that she was unaware of the cost of installing sprinklers with Council Chairman Marshall stating that this may be discussed further at the workshop called specifically for this purpose.

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Fire Chief Martin stated that installation of sprinklers can run about \$2 per square foot of construction on average and that this was relatively inexpensive.

Councilman Herreshoff asked for a memorandum outlining the "vulnerable areas" of Town were this ordinance may apply.

Fire Chief Martin stated that it would likely be more applicable on a residence by residence basis.

Council Chairman Marshall asked to know if the ordinance might include an indemnification clause allowing homeowners to opt-out at solely their own risk.

Town Solicitor Ursillo stated that the memorandum from Director of Community Development Williamson was not a proposed ordinance but rather "food for thought" at this time.

9. Councilman Herreshoff re EBEC

**LATE ITEM**

- a. Town Administrator Mederos to RIEDC Renewable Energy Fund re EBEC - grant administration

Herreshoff/Barboza - Voted  
unanimously to continue this matter  
until the meeting of October 10,  
2012.

Prior to the vote taken, Councilman Herreshoff complemented Town Administrator Mederos for removing her staff from EBEC.

Town Administrator Mederos reported that her staff also stopped handling the finances of the group and returned the remaining funds to the State EDC and that the Town Council should now determine if it wishes to continue as a member of EBEC and appoint new representatives.

Councilman Herreshoff asked to know if any staff is still attending meetings with Town Administrator Mederos responding that they were no longer doing so.

Councilman Herreshoff stated that he believes that the Council withdrew from EBEC in June. *(It is hereby noted for the record that the Council withdrew its support of the pending EBEC legislation in June but did not specifically withdraw from the Consortium)*



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Councilman Herreshoff made a motion for the Town of Bristol to withdraw further participation in EBEC effective immediately. Councilman Barboza seconded the motion only for purposes of discussion.

Council Chairman Marshall suggested that the motion to withdraw might be premature since the Council plans to have a workshop to discuss EBEC with the parties on October 3, 2012. He suggested that the Council should honor this workshop out of respect for the work done on the Town of Bristol's behalf and to allow Consortium members and staff the opportunity to respond to its critics.

Councilman Herreshoff asked to know if the upcoming workshop is intended to re-establish Town participation in EBEC with Council Chairman Marshall noting that the workshop is intended to provide an opportunity for the Council to hear both sides of the story.

Councilman Herreshoff asked to know if the purpose of the workshop is to evaluate the whole idea of EBEC with Council Chairman Marshall stating that it is part of the process of evaluation.

Councilman Herreshoff stated that he has no interest regarding windmills in Tiverton and that this does not fit in the goals of the Town of Bristol. He stated further that he does not know why the Town participated in this endeavor and questions how nine towns will manage a project. He added that he is of the opinion that private business should be doing this type of project independently of the government.

Councilman Herreshoff added that he believes windmills to have weak finances and now proponents of windmills are considering 50 meter blades traveling at 150 miles per hour and that all of this must be considered and that he does not believe that the Town of Bristol is the entity to take this on.

Councilwoman Parella stated that the problem appears to be that the discussion has focused upon windmills and that the process includes not just a community wind farm but rather considers other forms of renewable energy. She stated that it may be advantageous to have the people involved directly in the Consortium to have the opportunity to explain their ideas.

A discussion ensued regarding renewable energy, wind turbines, etc.

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Councilman Herreshoff stated that he was willing to postpone his proposed action in order to hear from the EBEC members.

Councilman Barboza stated that the Council meetings have been "EBECed to death" thus far and suggested the suspension of any further discussion until the proposed workshop on October 3.

Councilwoman Parella agreed and stated that it would be best to keep the discussion until the workshop. She added that EBEC is a form of regionalization and that this concept appears to be very popular in order to secure funding. She added that she thinks it would be advisable for all to listen carefully at the workshop.

Councilman Barboza withdrew his second of Councilman Herreshoff's motion.

10. Councilman Herreshoff re State Street Pier - outside decking project

Herreshoff/Teixeira - Voted  
unanimously to continue this matter  
until the meeting of October 10,  
2012.

Prior to the vote taken, Councilman Herreshoff reported that he viewed Public Works Director Galuska's prototype in place and that he has not had the opportunity to examine it.

Town Administrator Mederos stated that "it looks great."

Public Works Director Galuska stated that it is a charcoal gray fiberglass called "mini-grid" and that it can hold 300 lb/ft<sup>2</sup> and added that galvanized steel would not be suitable for the salt water environment and that aluminum would require a sub-frame.

Councilman Herreshoff asked to know if the fiberglass was intended for marine use with Public Works Director Galuska responding that it is intended for marine use.

11. Director of Community Development Williamson re Stormwater Utility District Feasibility Study presentation - Elizabeth Scott, Deputy Chief, RI Department of Environmental Management

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*It is hereby noted for the record that discussion and action regarding this matter took place after consideration of agenda item J5 as noted below.*

Barboza/Teixeira - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Ms. Scott informed the Council that she was asked by Director of Community Development Williamson and Town Administrator Mederos to provide technical assistance concerning the possible establishment of a stormwater utility.

Ms. Scott thanked Town staff, Principal Planner Tanner, Public Works Director Galuska, Town Treasurer Goucher and Director of Community Development Williamson for their assistance and outlined a PowerPoint presentation covering her topic (*a copy of this PowerPoint is part of the back-up materials of this meeting*).

Ms. Scott reviewed the result of the September 5 flooding and reported that there were less beach closures as a result of the parking lot improvements at the Town Beach.

She added that the Town is doing a good job at addressing priority issues. She added that the Town now spends \$1.52 million per year on stormwater mitigation and studies indicate that it should spend \$2.2 million with a \$700,000 gap which may be filled through a stormwater enterprise fund.

She also added that there are 2000 stormwater utilities Nationwide.

Ms. Scott explained that property owners will be assessed a fee for non-pervious surfaces on their property and will be credited for porous ones and the resulting revenue will be fed-back to improve the infrastructure needed to handle the stormwater runoff.

Council Chairman Marshall noted that this was good food for thought and added that the EPA levies large fines for non-conformance for sanitary sewer overflows and perhaps will look similarly on poor drainage practices.

He noted that an enterprise fund would guarantee that improvements could be made versus relying solely upon the Town budget for these.

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - SEPTEMBER 19, 2012**

Councilman Barboza noted that the EPA fines were reduced since the Town was being proactive but that these fines could have been in the \$ millions.

Councilwoman Parella asked for color copies of the Power Point presentation.

Director of Community Development Williamson stated that she appreciated the good work of the DEM.

Council Chairman Marshall stated that the proposal appears to offer a fair and equitable system and that it may become a model for bridges and roads also.

Michael Donahue informed the Council that he was a shell-fisherman and also a scientist and recognizes the needs for stormwater management. He asked to know if the system as proposed provides for credits to bring back ecosystems such as those in place in the Louisiana bayou.

Ms. Scott noted that rain-gardens may be installed versus allowing rain water to run directly into the street.

A discussion ensued concerning ways to reduce runoff and related pollutants.

Council Chairman Marshall noted that developers are required to reduce runoff.

Ms. Scott noted that the DEM has a new runoff manual with Director of Community Development Williamson explaining that the Town uses this as a reference.

**\*AMEND ITEM 12.** Police Chief Canario re report - license for alcoholic beverages to be served at sidewalk tables

Barboza/Teixeira - Voted  
unanimously to continue this matter  
until the meeting of October 10,  
2012.

Prior to the vote taken, the Council agreed to continue the matter pending review of the attached report.

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - SEPTEMBER 19, 2012**

1. Georgina Macdonald, P.O. Box 658 re Fairview Drive right-of-way - petition for correction to recorded street plan

**LATE ITEM**

- a. Director of Community Development Williamson re Planning Board Recommendation

Barboza/Teixeira - Voted unanimously to remand this issue back to the Planning Board for reconsideration and to continue the public hearing until the meeting of October 24, 2012.

Prior to the vote taken, Council Chairman Marshall opened the public hearing.

There was no testimony provided in favor of the petition.

Speaking in opposition to the petition was Ferdinand A. Bruno of 200 Ferry Road, speaking on behalf of his own interest and also on behalf of the estate of Edmund Oliver. He stated that he was surprised to learn that the applicant was not present.

He expressed concern that when he asked the same surveyor of this proposal to examine his property the surveyor found it to be ok but later the next day moved the line indiscriminately one and one-half feet.

He added that the line was based upon what was thought to be an historical stone wall but rather Mr. Bruno erected the wall after the original plat was defined.

Mr. Bruno informed the Council that he "is completely against" the petition for abandonment and that he believes that surveyor and the applicant should be present.

He also expressed concern that Ms. Macdonald asked him for money to reimburse her for the cost of the survey which appears to bring him no benefit.

Mr. Bruno stated that he and his neighbors are concerned that a sewer failure on the street may become their responsibility as a result of the re-platting of the neighborhood and that they do not wish to have this responsibility.

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Councilman Barboza noted that the Planning Board recommends this abandonment and asked to know if Mr. Bruno expressed his concern at the Planning Board hearing.

Mr. Bruno stated that he did not know that the matter was before the Planning Board.

Edward Miller of 5 Fairview Drive informed the Council that he, too, is concerned about the proposal and objects to it. He questioned as to whether or not the change would impact his title insurance and that he is also concerned about the location of the sewer lines. Mr. Miller also questioned the validity of the survey presented as part of the proposal.

Krysten O'Leary of 8 Fairview Drive also questioned the validity of the survey. She too noted that the stakes were moved by the surveyor and questioned if the surveyor was impartial.

Councilman Barboza expressed concerns based upon the remonstrant's testimony. He stated that he would like for the surveyor and the petitioner to be present and testify.

Councilman Herreshoff noted that the matter appears to be complicated and that he believes that the Council must have a proper survey prior to making a decision.

Councilwoman Parella stated that she was under the impression that the only shift of property lines was toward the road.

Director of Community Development Williamson agreed with Councilwoman Parella and indicated that she was informed that an error from many years ago was discovered and that the remedy was to take away from the Town-owned right of way in the road. She added that the intention was to keep all the neighbors' properties whole.

Councilman Barboza stated that he would prefer if the Planning Board would revisit the matter and reconsider its recommendations.

Councilman Herreshoff agreed with Councilman Barboza and stated that he "did not wish to approve it" after hearing Mr. Bruno's testimony regarding the moving of the Bruno stake.

2. Show Cause Hearing re Notice of Violation - Wendy's Old Fashioned Hamburgers, 590 Metacom

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Avenue, **cancelled** (see Consent Agenda items R17 and R18)

*It is hereby noted for the record that this matter was considered in combination with Consent Agenda items R17 and R18.*

Barboza/Herreshoff - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Town Solicitor Ursillo reported that although the matter was resolved through the payment of the fine, the check was directed to the wrong place, disregarding the Town's specific instructions and also that the problem is not new for this establishment.

**D. ORDINANCES**

1. Ordinance #2012-05, Chapter 27, Taxation, Article I, In General, Section 27-5, Tax stabilization incentive for industrial, commercial and manufacturing facilities, **2<sup>nd</sup> reading for adoption**

Herreshoff/Teixeira - Voted  
unanimously to continue this matter  
until the meeting of October 10,  
2012.

Prior to the vote taken, Town Solicitor Ursillo asked for a continuance to further refine the provisions of the proposal.

**(CA) E. BUDGET ADJUSTMENTS**

**Approval of consent agenda="Motion to approve these adjustments."**

1. Tax Assessor Spagnolo re Recommended Abatements and Additions for September 2012

**F. APPOINTMENTS**

1. Public Service Appointments
  - a. North and East Burial Ground Commission

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1. Jeffrey W. Steadman, 10 Wapping Drive - resignation

Barboza/Teixeira - Voted unanimously to accept this resignation with regret and to instruct the Clerk to send a letter to Mr. Steadman in consideration of his many years of service to the Town.

**Approval of consent agenda="Motion to approve advertising these Appointments."**

- (CA)
2. Public Service Appointments for advertising (October and supplemental)

G. LICENSING BOARD - NEW PETITIONS

1. Eric J. Christensen, d/b/a Other Essentials, 254 Wood Street - request for a Junk and Second Hand Dealer's License, **call for public hearing (October 10, 2012)**

- a. Sebastian Wordell, 51 Union Street re lease agreement - 254 Wood Street

Barboza/Teixeira - Voted unanimously to call for a public hearing to be held on October 10, 2012 in the Town Hall, Council Chambers beginning at 7:00 o'clock PM.

2. Yuan Kai Zhang, Z & Z, Inc., d/b/a Jade Palace, 531 Wood Street - petition to transfer Class BV Intoxicating Beverage License to Yulin Zhang, d/b/a Green Tea Chinese Restaurant (new ownership), **call for public hearing (October 10, 2012)**

Barboza/Teixeira - Voted unanimously to call for a public hearing to be held on October 10, 2012 in the Town Hall, Council Chambers beginning at 7:00 o'clock PM.



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3. Nelson Ferreira, NCF Café, LLC, d/b/a Black n' Brew Café, 382 Thames Street - request for Victualling License

Barboza/Teixeira - Voted  
unanimously to grant this license  
subject to the receipt of a  
positive recommendation from  
administration, and also subject to  
conformance to all laws and  
ordinances and payment of all fees,  
taxes, and levies.

Prior to the vote taken, Councilwoman Parella asked to know if this was a coffee shop and its proposed location with Mr. Ferreira responding that it is a coffee shop and that he plans to sell coffee-related retail products. He noted that the location is the restored former Tuplin's Garage building next-door to the Hourglass Brasserie.

4. Nelson Ferreira, NCF Café, LLC, d/b/a Black n' Brew Café, 382 Thames Street - request for Holiday Sales License

Barboza/Teixeira - Voted  
unanimously to grant this license  
subject to the receipt of a  
positive recommendation from  
administration, and also subject to  
conformance to all laws and  
ordinances and payment of all fees,  
taxes, and levies.

**H. LICENSING BOARD - RENEWALS**

**(CA) I. UTILITY PETITIONS**

**Approval of consent agenda="Motion to approve these petitions."**

1. Department of Public Works - Road Cut Permits

**J. PETITIONS - OTHER**

1. Earl Gonsalves, 129 Cypress Street,  
Providence re claim for damages

Barboza/Teixeira - Voted  
unanimously to refer this matter to

the Town Solicitor and the  
Interlocal Trust.

2. Benita Berretto, 10 Vantage Point Drive re  
claim for damages

Barboza/Herreshoff - Voted  
unanimously to refer this matter to  
the Town Solicitor and the  
Interlocal Trust.

3. Richard Capuano, 2 Betsy Drive re claim for  
damages

Barboza/Teixeira - Voted  
unanimously to refer this matter to  
the Town Solicitor and the  
Insurance Committee.

After the vote taken, Council Chairman Marshall noted that  
there appears to be a broken utility cover in the area with  
Public Works Director Galuska agreeing to investigate same.

4. Tracy Wheaton, Claim Service Specialist,  
Arbella Mutual Insurance Company, for Kali  
Hosford re claim for damages

Barboza/Herreshoff - Voted  
unanimously to refer this matter to  
the Town Solicitor and the  
Insurance Committee.

5. Nancy E. Dobie, 38 Sullivan Lane re Rhode  
Island Ocean Tides Senior Games presentation  
- 2012 events

- a. Nancy E. Dobie re William J. McCarthy  
Memorial Swim - September 23, 2012

*It is hereby noted for the record that discussion and action  
regarding this matter took place earlier in the agenda after  
consideration of agenda item B2 as noted above.*

Barboza/Teixeira - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Ms. Dobie reported that the Ocean  
Tides Senior Games is in its fifth year and introduced those

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present and provided the Council with commemorative T-shirts and booklets.

She added that this year's events are dedicated to the late participants William J. McCarthy and Alan Storms.

Ethan Tucker noted the William J. McCarthy Memorial Swim to be held Sunday, September 23, 2012 at 10:00 o'clock AM at the Town Beach and explained this is intended to be the first of many fundraisers in support of an aquatic center at the Quinta-Gamelin center.

Councilwoman Parella stated that this was a fitting tribute to Mr. McCarthy who was a swimming icon in Bristol. Councilman Teixeira agreed that he has fond memories of Mr. McCarthy and his annual participation in the VJ Day swim from Rumstick Point to the Town Beach.

Ms. Dobie provided a "gold" medal to Town Administrator Mederos for her support of the Games and service to the Town and also a plaque commemorating the Town's support of the Games.

*It is hereby noted for the record that the Council had not yet heard agenda item B3 et seq. The discussion and action concerning agenda item B11 is found, in place, above.*

Teixeira/Herreshoff - Voted  
unanimously to suspend the order of  
business and to consider agenda  
item B11 at this time.

Prior to the vote taken, Council Chairman Marshall noted that the representatives from DEM were present to make their presentation, and suggested that agenda item B11 might be brought forward.

6. George P. Vezina, 1014 Hope Street, Apt. W3,  
re request for curb cut at 240 Wood Street

**LATE ITEM**

- a. Recommendation - Director of Public  
Works (deny)

Herreshoff/Teixeira - Voted  
unanimously to continue this matter  
until the meeting of October 10,  
2012.

Prior to the vote taken, Public Works Director Galuska noted that the proposed site was "very tight" for a driveway to be

installed safely. He added that the petitioner appears to have "a topography problem."

Police Chief Canario agreed to take a look at the property also and report back to the Council.

7. Kristin A. DeStefanis, AIC, Amica Mutual Insurance Company, for Leigh-Ann Geyer re revised claim for damages (referred to Solicitor August 29, 2012)

Barboza/Teixeira - Voted  
unanimously to re-refer this matter  
to the Town Solicitor.

8. John Brando, 2 Milford Street - petition re access to shoreline at Mount Hope Farm

Herreshoff/Teixeira - Voted  
unanimously to refer this matter to  
Assistant Town Solicitor Paul Ryan  
and to continue same to the meeting  
of October 10, 2012 in anticipation  
of a report from Mr. Ryan.

Prior to the vote taken, the Clerk informed the Council that Mr. Brando reminded him that he appeared before this honorable body when the matter of the so-called bridge loan to Mount Hope Farm was considered and that that Mr. Brando explained his public access problem at that time.

The Clerk also informed the Council that Mr. Brando reminded him that he (Mr. Brando) was requested to speak to Mount Hope Farm about his issue and that he was welcomed to return to the Council if he did not find satisfaction regarding same.

Mr. Brando informed the Council that he was clamming on the shore of Mount Hope Farm in order to find clams for his family's consumption. He added that he was asked to leave the premises. He added that the Town lists Mount Hope Farm as a shoreline access point in its Harbor Management Plan. He added that all he wants is access to the shore and that he believes that he is entitled to this. He added that he does not wish to provide Mount Hope Farm with a "black eye."

Mr. Brando informed the Council that Joseph Brito, Mount Hope Farm President, told him that his hands were tied since the Farm's insurance specifically forbids fishing, etc., and

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that the Farm would incur a liability to allow Mr. Brando to fish there.

Councilman Barboza noted that Mount Hope Farm is not owned by the Town of Bristol and that Mr. Brando would be crossing private property in order to get to the shore.

Mr. Brando replied that Mount Hope Farm has shoreline access points with Director of Community Development Williamson adding that the Harbor Management Plan includes Mount Hope Farm since she was informed that the public may walk to the shore near Cove Cabin on the Farm.

Councilman Herreshoff suggested that the Town should speak to Mr. Brito.

Town Solicitor Ursillo stated that he cannot advise the Town regarding Mount Hope Farm since the Farm was a client of his firm in the past. He added that the matter would be referred to assistant Town Solicitor Ryan who does not have a conflict of interest.

Jennifer Bristol, Mount Hope Farm Executive Director, addressed the Council. She informed the Council that persons are allowed to visit the shore but only for passive purposes and that no clamming, fishing, boat launching or swimming is allowed.

Councilman Herreshoff stated that it may be advisable for Mr. Ryan to advise the Council and the other parties on this matter.

Town Solicitor Ursillo agreed to contact Mr. Ryan.

Mr. Brando asked Ms. Bristol if he can access the shore at Mount Hope Farm with Ms. Bristol responding affirmatively.

Mr. Brando reiterated that he was asked to leave the Farm because he was quahogging.

Joseph Terra informed the Council that he quahogs at Mount Hope Farm and has done so for years and that he has not been asked to leave but his son was recently asked to leave. He added that it seems ironic to him that Mount Hope Farm maintains paths to the water yet forbids the activities as noted by Ms. Bristol.

Andrew Noronha expressed similar concerns and stated that the refusal to allow the clamming was "foolishness." He stated that the rule seems to have been promulgated by the

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new trustees since the previous regime did not prevent the taking of clams from the shore.

**K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION**

1. Michelle F. Burnett, State Floodplain Coordinator, Rhode Island Emergency Management Agency re meeting to review work maps - New Coastal Data/FEMA Flood Insurance Rate Maps (September 24, 2012)

Barboza/Herreshoff - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Town Administrator Mederos reported that Director of Community Development Williamson and Building Official Pimenta will be attending this meeting to represent the Town.

2. Director of Community Development Williamson re request for Executive Session pursuant to RIGL § 42-46-5(a)(5) - acquisition of real property

*It is hereby noted for the record that action concerning this agenda item took place at the conclusion of the public agenda as noted below.*

3. Sharon Rodrigues, Mt. Hope Wrestling Parents Committee re request for support - Mt. Hope Wrestling Team sponsorship

Barboza/Teixeira - Voted  
unanimously to appropriate \$100  
from the Town Council Contingency  
so as to place a full-page ad in  
support of the Wrestling Team.

4. Rhode Island Ethics Commission re public hearing, October 16, 2012 - proposed Regulation 36-14-17006 Out-of-state Travel (Options A & B)

Barboza/Teixeira - Voted  
unanimously to receive and place  
this matter on file.

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5. Jack Lunney, Treasurer, Bristol Athletic Hall of Fame re request for support - induction banquet

Barboza/Parella - Voted to appropriate \$1500 from the Town Council Contingency to the Bristol Athletic Hall of Fame with the condition that the Hall of Fame must apply to the Roger Williams University Fund for Civic Activities for a grant indicating that this amount from the Town may constitute a matching grant. Voting in favor of this motion were Council Chairman Marshall, Councilman Barboza and Councilwoman Parella. Voting opposed was Councilman Herreshoff. Councilman Teixeira recused himself from the discussion and vote.

Prior to the vote taken, Councilman Teixeira noted that he is a member of the Hall of Fame Committee and recused himself from the discussion and vote and left the Council table.

Council Chairman Marshall stated that the Hall of Fame has done a wonderful job at preparing its displays at the State House meeting room and that the group can use additional money to improve its presentation.

Mr. Lunney stated that the funds would be used for support materials.

Councilman Herreshoff asked to know if the group can come forward at budget time with Mr. Lunney stating that this is a "one shot deal."

Councilman Herreshoff asked Mr. Lunney if he might be specific about the proposed use of the funds with Mr. Lunney responding that he had nothing specific in mind but rather that the funds would supplement the organization's treasury.

He added that the group has \$2500 with \$1500 in a reserve account.

Town Treasurer Goucher suggested that the group should apply for Roger Williams University Civic Activities grants with

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Mr. Lunney stating that he did this previously without a positive result.

Town Treasurer Goucher recommended that the group should apply again and that she did not recall the application nor did she recall the denial of same.

**\*AMEND ITEM 6.** Councilman Barboza re Beach Road traffic concerns

Barboza/Teixeira - Voted  
unanimously to continue this matter  
until the meeting of October 10,  
2012.

Prior to the vote taken, Councilman Barboza stated that he spoke to Police Chief Canario regarding this matter and that the Chief agreed to review reports and perhaps review the possibility of adding signs and changing the speed limit in the area.

Councilwoman Parella asked to know if speed bumps were warranted with Police Chief Canario responding that nothing seemed to justify lower speed limits. He did, however, agree that better signage may alleviate neighbors' concerns.

Councilwoman Parella stated that she is surprised that the matter was not previously brought before the Council and that it would be advisable to consider the next steps.

Police Chief Canario agreed to look into the matter again and provide a report through the Town Administrator.

Councilman Barboza stated that he believed that the new signs would "go a long way."

**ADD ITEM 7.** Hope Street discussion re striping

**L. BILLS & EXPENDITURES**

**1. Bid #763 - Proposed Crosswalk Improvements  
(High Street)**

Barboza/Teixeira - Voted  
unanimously to refer this matter to  
the Town Administrator and the  
Director of the Department of  
Public Works to act in the best  
interest of the Town.



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Prior to the vote taken, the Clerk read the following bids as received:

RMT Inc.	Bristol, RI	\$16,850.00
American Site Corp.	Johnston, RI	\$29,500.00
NE Building & Bridge Co.	N. Providence, RI	\$49,495.16
Narragansett Improvement	Providence, RI	\$31,220.00
JML Excavation Inc.	Bristol, RI	\$27,240.00
Manuel Pavao Contractor	Rehoboth, MA	\$24,867.50

2. Bid #764 - Maintenance and Repairs to Masonry Seawall, Drainage Outfalls, and Road Terminus (Smith Street)

Barboza/Teixeira - Voted unanimously to refer this matter to the Town Administrator and the Director of the Department of Public Works to act in the best interest of the Town.

Prior to the vote taken, the Clerk read the following bids as received:

RMT Inc.	Bristol, RI	\$26,620.00
Landscaping Services	Bristol, RI	\$48,370.00
NE Building & Bridge Co.	N. Providence, RI	\$73,938.20
Narragansett Dock Works	Narragansett, RI	\$78,534.00
Narragansett Improvement	Providence, RI	\$58,375.00
JML Excavation Inc.	Bristol, RI	\$44,300.00
East Coast Landscaping	Portsmouth, RI	\$93,185.00
Manuel Pavao Contractor	Rehoboth, MA	\$53,261.00
Northern Construction	Weymouth, MA	\$88,961.00

3. Bid #765 - Engineering, Landscape Architecture, and Surveying Services (Independence Park)

Barboza/Teixeira - Voted unanimously to refer this matter to the Town Administrator and the Director of the Department of Parks and Recreation to act in the best interest of the Town.

Prior to the vote taken, the Clerk read the following bids as received:

Horsley Whitten Group	Sandwich, MA	\$154,400.00
Pare Corporation	Lincoln, RI	\$ 60,040.00

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Gordon R. Archibald, Inc.	Pawtucket, RI	\$ 89,900.00
Hali Beckman, Ltd.	Wickford, RI	\$142,600.00
Beta Group, Inc.	Lincoln, RI	\$168,000.00
Millstone Engineering	Warwick, RI	\$ 84,900.00
The Cecil Group, Inc.	Boston, MA	\$137,075.00

4. Bid #766 - Boardwalk Repair/Improvements  
(Rockwell Park)

Barboza/Herreshoff - Voted  
unanimously to refer this matter to  
the Town Administrator and the  
Director of the Department of Parks  
and Recreation to act in the best  
interest of the Town.

Prior to the vote taken, the Clerk read the following bids  
as received:

Charles E. Millard, Inc.	Bristol, RI	\$35,350.00
Tidal Enterprises, Inc.	Bristol, RI	\$40,625.00

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

**Approval of consent agenda="Motion to receive and place this  
item on file."**

1. (Town Treasurer Goucher) re Revenue and  
Expenditure Statement through September 14,  
2012

P. PROCLAMATIONS & CITATIONS

1. Citation - Rev. Daniel Barron Randall,  
Twenty-fifth Anniversary of Ordination and  
Tenth Anniversary as Pastor of First  
Congregational Church

Barboza/Herreshoff - Voted  
unanimously to adopt this citation  
as prepared and presented.

(CA) Q. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED

**Approval of consent agenda="Motion to receive and place  
these items on file."**

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**(CA) R. DISTRIBUTIONS/COMMUNICATIONS**

**Approval of consent agenda="Motion to receive and place these items on file."**

1. RIDOT Community Update - Hope Street project, (August 27-September 8, 2012)
2. Coastal Resources Management Council - September 2012 Calendar
3. Town Administrator Mederos to Town Clerk Cirillo re temporary absence (September 10 - 14, 2012)
4. Council Clerk Cirillo to Reginald McCarthy re thank you for service (Historic District Commission)
5. Council Clerk Cirillo to Timothy A. Pray re thank you for service (Historic District Commission)
6. Council Clerk Cirillo to Patricia Woods re thank you for service (Economic Development Commission)
7. Council Clerk Cirillo to Adam C. McGovern re thank you for service (Economic Development Commission)
8. Council Clerk Cirillo to Jeffrey L. Mascola re thank you for service (Post Retirement Benefits Fund Board of Trustees)
9. Warrant - Pamela D. Delaney, Economic Development Commission
10. Warrant - George S. Burman, Economic Development Commission
11. Warrant - Leeds Mitchell, Harbor Commission Advisory Committee
12. Council Clerk Cirillo to Fred Ramos re Golf Course Committee
13. Council Clerk Cirillo to Bernard Rajkumar re Golf Course Committee

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14. Richard Goldstein, MMC, Pawtucket City Clerk re state's \$115 million surplus - request state aid to cities and towns
15. Public Notice - Amnesty Day, September 29, 2012
16. Warrant - Tony M. Brum, Zoning Board of Review (first alternate)
17. Town Administrator Mederos to Christina Dutra, Wendy's Old Fashioned Hamburgers, 590 Metacom Avenue re Notice of Violation/Show Cause Hearing

*It is hereby noted for the record that this agenda item was considered concurrently with agenda item C2.*

Barboza/Herreshoff - Voted  
unanimously to receive and place  
this matter on file.

18. Town Administrator Mederos to Jennifer Abreu, Wendy's Old Fashioned Hamburgers, Acton, Massachusetts re Notice of Violation/Show Cause Hearing

*It is hereby noted for the record that this agenda item was considered concurrently with agenda item C2.*

Barboza/Herreshoff - Voted  
unanimously to receive and place  
this matter on file.

19. Council Clerk Cirillo to Hon. M. Teresa Paiva-Weed et al re bridge tolls in the East Bay (resolution attached)
20. Council Clerk Cirillo to David Darlington, Chairman, Rhode Island Turnpike and Bridge Authority re opposition to bridge tolls (resolution attached)

- \*AMEND ITEM** 21. Josue D. Canario, Chairman, Animal Shelter Capital Project Committee to Town Administrator Mederos re status - Animal Shelter project

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Barboza/Teixeira - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Councilman Herreshoff asked to know if the Committee was confident that the project will remain within its budget plan with Police Chief Canario responding that the Committee is maintaining a positive approach toward this goal.

**\*AMEND ITEM** 22. Recommendation - Town Administrator and Chief of Police re Private Investigator's License petition of Earl A. Fox (granted August 29, 2012)

**(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS**  
(Office copy only)

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Bristol Warren Regional School District - schedule of meetings, week of September 2, 2012
2. Board of Fire Engineers - September 4, 2012
3. Citizens Property Revaluation Advisory Committee - September 5, 2012
4. Fourth of July Committee - September 6, 2012
5. East Bay Energy Consortium (EBEC) - September 10, 2012
6. Planning Board - September 12, 2012
7. Harbor Commission - September 10, 2012
8. Bristol Warren Regional School District - schedule of meetings, week of September 9, 2012
9. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - September 10, 2012 (Executive Session)
10. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - September 10, 2012

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11. Bristol Warren Regional School Committee  
Budget/Facilities Subcommittee - September  
10, 2012 (revised)
12. Bristol Warren Regional School Committee  
Personnel/Contract Subcommittee - September  
10, 2012
13. Bristol Warren Regional School Committee -  
September 10, 2012 (workshop)
14. Bristol County Water Authority Full Committee  
of the Board - September 12, 2012 (revised)
15. Board of Canvassers - September 14, 2012
16. Bristol Warren Regional School District -  
schedule of meetings - week of September 16,  
2012
17. Bristol Warren Regional School Committee  
Budget/Facilities Subcommittee - September  
17, 2012

**S. TOWN SOLICITOR**

1. (Assistant Solicitor Teitz) re revision of  
Public Participation Form

Barboza/Herreshoff - Voted  
unanimously to continue this matter  
until the meeting of October 10,  
2012.

Prior to the vote taken, Town Solicitor Ursillo asked for a continuance regarding this matter in order to formulate a recommendation for the Council concerning the form and policy.

**Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS**

**1. MARSHALL**

- a. Michael Donahue - Council Chairman Marshall recognized the presence of Michael Donahue, Republican candidate for Representative District 68 and welcomed him to the Council Chamber.

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - SEPTEMBER 19, 2012**

b. Retention/Detention Ponds - Council Chairman Marshall asked Town Solicitor Ursillo to investigate who may be responsible for repairs, etc., should developer-constructed retention/detention ponds fail.

c. Extension of Church Street Dock - Council Chairman Marshall requested that an agenda item should appear on the Council Docket of October 10, 2012 so as to allow the Council to consider an appropriation up to \$50,000 for CRMC applications, etc., for Church Street Dock expansion.

d. Mike Davis - Council Chairman Marshall thanked Mr. Davis for taping this evening's meeting.

2. BARBOZA

a. Happy Birthday - Councilman Barboza offered belated birthday wishes to Town Administrator Mederos.

b. Firefighters Memorial Park - Councilman Barboza noted that the Firefighters Park sprinkler system was repaired through the efforts of Recreation Director Burke. Councilman Barboza thanked Mr. Burke for this.

c. High Holy Days - Councilman Barboza noted the approach of the Jewish High Holy Days.

3. TEIXEIRA

4. HERRESHOFF

5. PARELLA

a. No Parking While Sweeping - Councilwoman Parella expressed frustration that the Town sweeper weaves between parked cars and suggested that the Town should post no parking signs on days when the sweeper will be in use.

b. Belated Birthday Wishes - Councilwoman Parella offered the Council's best belated birthday wishes to Town Administrator Mederos and Town Treasurer Goucher.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - SEPTEMBER 19, 2012**

a. Merchants Sidewalk Sale - Town Administrator Mederos noted that the Downtown Merchants neglected to seek permission from the Council to hold its periodic sidewalk sale and explained that barring any Council concerns regarding same she would allow the event to proceed on October 6, 7, and 8.

b. Hope Street "Ribbon Cutting" - Town Administrator Mederos and Council Chairman Marshall observed that the Hope Street ribbon cutting signaling the completion of the Hope Street project will take place on Friday, September 21, 2012 at 10:00 o'clock AM. It was noted that the ceremonies will be held in front of the Burnside Memorial Building.

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CITIZENS PUBLIC FORUM

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Barboza/Teixeira - Voted  
unanimously to adjourn into  
Executive Session pursuant to RIGL  
42-46-5 (a) (5) to consider the  
purchase of real property at 11:52  
o'clock PM.

Barboza/Teixeira - Voted  
unanimously to resume open session  
and seal the minutes of the  
Executive Session at 12:14 o'clock  
AM, Thursday, September 20, 2012.

There being no further business, upon a motion by Councilman Barboza, seconded by Councilwoman Parella and voted unanimously, the Chairman declared this meeting to be adjourned at 12:15 o'clock AM, Thursday, September 20, 2012.

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Louis P. Cirillo, CMC, Council Clerk